

?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

%DATED: 06.03.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

+CrI.O.P.(MD)No.3439 of 2019

#1.R.Samuel

2.S.Benin Sam : Petitioners

Vs.

\$1.State represented by

The Superintendent of Police,

Kanyakumari District,

Nagercoil, Kanyakumari District.

2.The Inspector of Police,

District Crime Branch,

Nagercoil, Kanyakumari District.

3.Muthumari : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent police not to harass the petitioners and their family under the guise of enquiry by the District Crime Branch, Nagercoil, Kanyakumari District without adhering to the mandatory provisions contemplated under law.

!For Petitioners : Mr.KA.Ramakrishnan

^For R~1 and R~2 : Mr.A.P.G.Ohm Chairma Prabhu

Government Advocate (CrI.Side)

:ORDER

The present petition is filed to direct the respondent police not to harass the petitioners and their family under the guise of enquiry by the District Crime Branch, Nagercoil, Kanyakumari District without adhering to the mandatory provisions contemplated under law.

2.Heard the learned Counsel for the petitioners and the learned Government Advocate appearing for the respondent police.

3.The learned Counsel for the petitioner submitted that on the basis of certain complaint against the first petitioner-s son, the respondents 2 and 3 harassing them.

4.The learned Government Advocate submitted that the petitioners have cheated the de~facto complainant on promise of securing him a job and that is being enquiry into.

5.In response, the learned Counsel for the petitioners submitted that apart from the second petitioner, the first petitioner is having another son, who might have involved in the same. He also added that in the guise of

enquiry, the petitioners are called to the police station and retained for hours together.

6.If the second and third respondents are interested in interrogation / enquiring the petitioners preliminarily on the complaint received by them, then the same shall be done only on summons in strict in accordance with law and during the enquiry / interrogation the petitioners shall not be harassed.

7.Accordingly, the criminal original petition is closed.

To

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil, Kanyakumari District.

2.The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.

3.The Government Advocate (CrI.Side),
Madurai Bench of Madras High Court,
Madurai.